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Date
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of) Group Art Unit: 3726
W. H. P. M. HEIJNEN) Examiner: Essama Omgb
Serial No. 09/724,079) April 7, 2003
Filed November 28, 2000)
PIPE CONNECTING METHOD)

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ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

RESPONSE

In response to the Office Action of January 23, 2003, the following remarks are submitted. Reconsideration of this application in light of these remarks is respectfully requested. Claims 1-8 remain in the present application. The claims all stand as rejected under 35 U.S.C. §103(a).

35 U.S.C. § 103**1. Claim 1**

The Examiner rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Pogonowski (U.S. Patent No. 3,555,831) in view of Gabor et al. (DE 3407467). In making this rejection, the Examiner asserted that "Pogonowski discloses a method of connecting an upper wellbore casing 11 secured in formation to a lower wellbore casing 14"

Pogonowski does not disclose "an upper wellbore casing," "a lower wellbore casing," or "an upper wellbore casing secured in a formation." Therefore, Pogonowski in view of Gabor et al. does not render claim 1 obvious because a *prima facie* basis for a rejection under 35 U.S.C. §103 is not provided. The "upper wellbore casing 11" asserted by the Examiner is labeled in Pogonowski as a "casing 11." (Col. 2, lines 51-52, 57, 62). The "lower wellbore casing 14" asserted by the Examiner is labeled in Pogonowski as a "pile 14." (Col. 2, lines 54, 57, 60). In Pogonowski, the "casing 11" and the "pile 14" are members which form a structure that extends from the floor of a body of water such as the ocean to rigidly support

an oil drilling platform above the water surface. (Col. 2, lines 12-21). The "casing 11" and the "pile 14" of Pogonowski are not "wellbore casings," as recited in claim 1.

A casing secured in a formation, as claimed in the present invention, is different than the pile of Pogonowski. The need to secure the upper casing and still be able to form a leak proof seal between the upper casing and a casing later placed in the wellbore provides different challenges than a pile that supports a platform such as disclosed by Pogonowski.

Furthermore, the "casing 11" of Pogonowski, which the Examiner compares to "an upper wellbore casing" of claim 1, is not "secured in a formation," as recited in claim 1. According to Pogonowski, the "casing 11" is "an elongated cylindrical casing 11 which extends normally from a position slightly above the ocean floor, through the body of water, and is operably fastened at its upper end by a clamping mechanism 12 to drilling platform 13." (Col. 2, lines 51-55). Therefore, the "casing 11" of Pogonowski is not "secured in a formation," as recited in claim 1.

Thus Pogonowski in view of Gabor et al. does not teach the subject matter recited in claim 1 and therefore cannot render claim 1 obvious. Applicant further notes that a person of ordinary skill in the art would not be motivated to combine the teachings of Pogonowski with the teachings of Gabor et al. in the manner proposed by the Examiner.

As previously mentioned the "casing 11" and the "pile 14" of Pogonowski form a structure for supporting an oil drilling platform in a body of water such as the ocean. Also as previously discussed, the "casing 11" and the "pile 14" of Pogonowski are not wellbore casings. The Examiner asserts that Gabor et al. teaches "a sleeve of deformable material 5 arranged between end parts of two tubes (1,2) wherein the end part of the inner tube is radially expanded towards the end part of the outer tube thereby biasing the sleeve 5 between the end parts" The "deformable material 5" asserted by the Examiner is consistently labeled in Gabor et al. as a "sealing material 5" included to ensure a "leak-proof seal."

Given that the purpose of the "casing 11" and the "pile 14" of Pogonowski is to form a structure for supporting an oil drilling platform, a person of ordinary skill in the art would have no motivation to add the "sealing material 5" of Gabor et al. to the "casing 11" and the "pile 14" of Pogonowski. In Pogonowski, a "leak-proof seal" is irrelevant to the objective and would serve no meaningful purpose. Therefore, a person of ordinary skill in the art would have no motivation to apply the teachings of Gabor et al. to the teachings of Pogonowski in the manner suggested by the Examiner.

Because Pogonowski in view of Gabor et al. does not teach each element of claim 1, and because Pogonowski and Gabor et al. cannot be properly combined in the manner suggested by the Examiner, a *prima facie* basis for the rejection of claim 1 under 35 U.S.C. § 103(a) is not presented. The rejection is respectfully traversed, and withdrawal thereof is respectfully requested.

2. Claims 2-7

The Examiner rejected claims 2-7 under 35 U.S.C. § 103(a) as being unpatentable over Pogonowski/Gabor et al. as applied to claim 1, as discussed above, and further in view of Kapgan et al. (U.S. Patent No. 5,662,362).

Kapgan does not provide the elements discussed above as missing from the combination of Pogonowski and Gabor, and therefore the combination of Kapgan, Pogonowski and Gabor, does not provide a prima facie basis for rejection of the dependent claims under 35 U.S.C. § 103(a).

Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of claims 2-7.

3. **Claim 8**

The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Pogonowski/Gabor et al./Kapgan et al. as applied to claim 7, as discussed above, and further in view of Feldstein et al. (U.S. Patent No. 5,038,994) and Kozubovski et al. (SU 1629463).

Feldstein does not provide the elements discussed above as missing from the combination of Pogonowski, Gabor, and Kapgan and therefore the combination of Kapgan, Pogonowski, Gabor, and Feldstein does not provide a prima facie basis for rejection of the dependent claims under 35 U.S.C. § 103(a).

Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of claim 8.

Each of the rejections having been traversed, allowance of the claims of the present application is respectfully requested. If the Examiner would like to discuss this case with Applicant's attorney, the Examiner is invited to contact Del Christensen at the below phone number.

Respectfully submitted,

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